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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDMUND JEW,

Defendant.

No. CR 07-00705 SI

STIPULATION AND [PROPOSED] ORDER
EXCLUDING TIME FROM JANUARY 25,
2008 TO FEBRUARY 19, 2008 FROM THE
SPEEDY TRIAL ACT CALCULATION (18
U.S.C. § 3161(H)(8))

The parties appeared before the Court on Friday, January 25, 2008. At that time, the parties reported on the status of discovery, and jointly requested a briefing schedule on a motion to dismiss that counsel for the defendant currently intends to file. The parties further stipulated and agreed as follows:

1. The parties agreed to an exclusion of time under the Speedy Trial Act from January 25, 2008 to February 19, 2008, in light of the need for the defendant's counsel to review discovery, hire translators for some of the discovery, and prepare a motion. Failure to grant the requested continuance would unreasonably deny defense counsel

1 reasonable time necessary for effective preparation, taking into account the exercise of
2 due diligence and the need for counsel to review the discovery with the defendant, and
3 would deny the defendant continuity of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

4 2. The parties agreed to the following briefing schedule:

5 Defendant's Opening Brief: February 19, 2008

6 Government's Opposition: March 11, 2008

7 Defendant's Reply Brief: March 14, 2008

8 Hearing: March 21, 2008

9 The filing of the motion will result in an automatic exclusion of time from February 19,
10 2008 to March 21, 2008, pursuant to 18 U.S.C. § 3161(h)(1)(F). The parties further
11 agreed that if the defendant ultimately chooses not to file the anticipated motion, they will
12 contact the Court to set another status date well prior to the March 21, 2008 hearing date.

13 3. Given these circumstances, the Court found that the ends of justice served
14 by excluding the period from January 25, 2008 to February 19, 2008 outweigh the best
15 interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

16 IT IS SO STIPULATED.

17 Respectfully submitted,

18
19 Date: 1/28/08

20 /s/
MICHAEL LI-MING WANG
Assistant United States Attorney

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22
23 Date: 1/31/08

24 /s/
STUART F. HANLON
Counsel for Defendant Edmund Jew

[PROPOSED] ORDER

Upon stipulation of the parties, and good cause appearing, IT IS ORDERED that the parties appear for a motion hearing on February 19, 2008, at 11:00 a.m. It is further ordered that, with the consent of the defendant, the period from January 25, 2008, to February 19, 2008, is excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), as the ends of justice served by excluding that time outweigh the best interest of the public and the defendant in a speedy trial and the prompt disposition of criminal cases.

DATED: _____



THE HON. SUSAN ILLSTON
United States District Judge